



Order Filed on March 13, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

21-06439 BKAOD01
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Attorneys for Freedom Mortgage Corporation

In Re:

WILLIAM J LEIGHTON aka William Leighton, Jr.

Case No: 19-25452-JNP

Hearing Date: _____

Judge: JERROLD N.
POSLUSNY, JR

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING CREDITOR'S CERTIFICATION OF DEFAULT
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

DATED: March 13, 2023

A handwritten signature in dark ink, appearing to read "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Applicant: Freedom Mortgage Corporation
Applicant's Counsel: Matthew Fissel, Esquire, Brock & Scott, PLLC
Debtor's Counsel: Joseph J. Rogers, Esquire
Property Involved ("Collateral"): 179 Pennsbury Ln, Woodbury, NJ 08096

Relief sought: ☒ Creditor's Certification of Default
☐ Motion to Dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor(s)' future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Certification is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 4 months, from November 1, 2022 to February 1, 2023.

☒ The Debtor is overdue for 4 payments at \$1,767.55 per month.

☐ Applicant acknowledges receipt of funds in the amount of \$ _____ received after the motion was filed.

☒ There is currently \$252.45 being held in Debtor's suspense account.

Total Arrearages Due: \$6,817.75

2. Debtor must cure all post-petition arrearages, as follows:

☒ Immediate payment shall be made in the amount of \$5,600.00. Payment shall be made no later than March 15, 2023.

☒ Immediate payment shall be made in the amount of \$1,217.75. Payment shall be made no later than March 31, 2023.

☒ Beginning on March 1, 2023, regular monthly mortgage payments in the amount of \$1,767.55 shall resume.

☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$ _____ for _____ months.

☐ The amount of \$ _____ shall be capitalized in the debtor(s)' Chapter 13 plan. Debtor(s) shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Applicant shall be made to the following address(es):

☒ Immediate payment:

Freedom Mortgage / Attn: Bankruptcy
Department, 10500 Kincaid Drive, Fishers, IN
46037

☒ Regular monthly payment:

Freedom Mortgage / Attn: Bankruptcy
Department, 10500 Kincaid Drive, Fishers, IN
46037

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtor fails to make any of the immediate payments specified above, or fails to make any regular monthly payment within thirty (30) days of the date it becomes due, then the Applicant may obtain an Order vacating, terminating, and/or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$188.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Applicant within _____ days.

☐ Attorneys' fees are not awarded.